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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,602	07/30/2003	Kristian Hammond	08803-023	6135
24573 K&L Gates LLP P.O. Box 1135 CHICAGO, IL 60690	7590 03/13/2009		<div>EXAMINER</div> <div>TRUONG, CAMQUY</div>	
			<div>ART UNIT</div> <div>2195</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE</div> <div>03/13/2009</div>	<div>DELIVERY MODE</div> <div>PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/629,602

**Applicant(s)**

HAMMOND ET AL.

**Examiner**

CAMQUY TRUONG

**Art Unit**

2195

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-12 and 33-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-12 and 33-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1, 4-12, 33-52 are presented for examination. Claims 2-3, 13-32 have been cancelled.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 6-12, 33, 36-39, 41-48, 51-52 are rejected under 35 U.S.C. 103(a) as being anticipated by Celis et al. (U.S. Patent 6,021,405) in view of "Information Access in Context" (Budzik), and further in view of Martin et al. (U.S. 2003/0005134 A1).
4. As to claims 1, and 38, Celis teaches the invention as claimed include: a method or formulating context representations, the method comprising:  
selecting at least one transformation rule being selected base on the plurality of transformation rules, the at least one transformation rule being selected base on the plurality of text items (the match method identify those rules having an operator that matches a particular expression (text items), col.21, lines 4-7) and at least one of the first property associated with the computer application ( the guidance structures an

enable method, match functions, promise functions, cutoff methods, and guidance methods are utilized in determining which rules to use, col. 21, lines 1-13; col. 15, lines 11-22);

generating the context representation by applying the at least one transformation rule to the plurality of text items (generating a context for an expression input query with selected required physical properties, col. 14, lines 27-31, lines 46- 57; col. 24, lines 13-61); and

storing the context representation in a computer readable media (col. 15, lines 54-65).

5. Celis does not explicitly teach determining a first property associated with the computer; selecting a plurality of text items associated with a computer application being manipulated by a user. However, Budzik teaches determining a first property associated with the computer application (determine the number and combinations of required physical properties that will be considered for each input's plan as well as the sequence that each input query is to be considered, col. 12, lines 42-51; col. 14, lines 29-31, and lines 48-52; col. 24, lines 14-17); and

selecting a plurality of text items associated with a computer application being manipulated by a user (page 3, section 3.1; page 6, section 5.1).

6. It would have been obvious to one of ordinary skill in the art at the time the invention was made that to incorporate the teaching of determining a first property

associated with the computer; selecting a plurality of text items associated with a computer application being manipulated by a user as taught by Budzik because this provide user with enough information about each item quickly evaluate its utility in the context of the work she is performing without requiring additional effort.

7. Celis and Budzik do not explicitly teach determining a second property associated with the user, and selecting a rule base on the second property associated with the user. However, Martin teaches determining a second property associated with the user (the information transmitted to the location may include an identifier identifying, for example, the user (e.g., a user ID) and/or the client machine (e.g., a machine ID), paragraph 56) and selecting a rule base the second property associated with the user (based on the generated user profile, content (one or more rules) is selected, paragraph 54-55 / content (rule) is selected base on the identifier, paragraph 56).

8. It would have been obvious to one of ordinary skill in the art at the time the invention was made that to modify the teaching of Celis, Budzik to incorporate the teaching of determining a second property associated with the user, and selecting a rule base on the second property associated with the user as taught by Martin because this allow more efficiency and more flexibility.

9. As to claims 4, and 39, Celis teaches the first property includes at least one of the identities of the computer application software and the type of the computer application software (col. 17, lines 20-30).

10. As to claims 6, and 41, Celis teaches the at least one transformation rule includes eliminating text included in a signature section of the e-mail application (col. 19, line 63 – col. 20, line 30).

11. As to claims 7 and 42, Celis teaches the computer application is associated with content, and the first property is associated with at least one of a subject matter of the content, a genre of the content, and a type of the content (col. 2, lines 53-59; col. 9, lines 36-42).

12. As to claims 8-9, and 43-44, Celis teaches first property is determined based on an indication provided by the user (col. 2, lines 40-59).

13. As to claims 10, and 45, Celis teaches transforming the context representation based on a user input related to a trait of search (col. 4, line 66 – col. 5, line 12).

14. As to claims 11-12, and 46-47, Budzik teaches determining an information source on which an information search should be conducted based on at least one of the first property and the second property (page 6, section 5.1; page 9, section 5.4).

15. As to claims 33, and 48, Celis teaches submitting a database query based on the context representation (col. 12, lines 39-44).

16. As to claims 36, and 51, Celis teaches the computer application is associated with a multi-step active task and the first property associated with the computer application includes an identifier of a particular step in the multi-step task (col. 6, line 65 – col. 7, line 5).

17. As to claims 37, and 52, Celis teaches the at least one transformation rule is selected based on the plurality of text items, the first property, and the second property (col. 17, lines 20-30; col. 20, lines 56-64).

18. Claims 5, 34-35, 40, 49-50 are rejected under 35 U.S.C. 103(a) as being anticipated by Celis et al. (U.S. Patent 6,021,405) in view of "Information Access in Context" (Budzik), further in view of Martin et al. (U.S. 2003/0005134 A1), as applied to claims 1, and 38 above, and further in view of August et al. (U.S. Patent 6,647,383 B1).

19. As to claims 5, and 40, Celis, Budzik and Martin do not explicitly teach teaches the application software is an e-mail application. However, August teaches the application software is an e-mail application (col. 26, lines 54-56).

20. It would have been obvious to one of ordinary skill in the art at the time the invention was made that to modify the teaching of Celis, Budzik, and Martin to incorporate the teaching of application software is an e-mail application as taught by Martin because this would improve in information search engines to eliminate or reduce the difficulties, and to satisfy the needs, are desired.

21. As to claims 34-35, and 49-50, August teaches the computer application includes a web browser, and a type of content associated with the web browser is electronic mail (col. 18, lines 51-54; col. 26, lines 54-56).

### ***Response to the argument***

22. Applicant arguments filed on 12/15/08 had been considered but they are not persuasive.

In the remarks applicant argued (1) Celis, Budzik and Martin, alone and in combination, fail to teach a plurality of text items associated with a computer application being manipulated by a user ... the at least one transformation rule being selected based on the plurality to text items and at least one of the first property associated with computer



application and the second property associated with the user. (2) Martin does not teach transformation rules. (3) Budzik does not teach determining a first property associated with a computer application.

23. Examiner respectfully traverses Applicant's remarks:

As to point (1), Celis teaches the at least one transformation rule being selected (the rules are selected, col. 20, lines 65-66) based on the plurality to text items (the match methods identify those rules having an operator that matches a particular expression) and at least one of the first property associated with computer application (database Implementor (DBI), col. 20, line 66) ( the DBI contains search heuristics in the form of an enable method, match function, promise function, cutoff method and guidance methods, these are utilized in determining which rules to use, col. 20, line 65 - col. 21, line 14) .

Budzik teaches and select the rule base on the second property associated with the user (based on the generated user profile, content (one or more rules) is selected, paragraph 54-55 / content (rule) is selected base on the identifier, paragraph 56).

As to point (2), the claim language does not clearly indicated the how the transformation rule is used (i.e. search query may be transformed to language...). In addition, Celis teaches transformation rule (transformation rule, col. 17, lines 44-47).

As to point (3), Celis teaches a first property associated with a computer application.

(the database implementor (DBI) contains search heuristics inform of an enable method, math function, promise function, cutoff methods, and guidance methods (properties) (col. 20, line 65 – col. 21, line 5). However, Celis does not explicitly teach determining a first property associated with a computer application. However, Budzik teaches determining a first property associated with a computer application (determine the number and combinations of required physical properties that will be considered for each input's plan as well as the sequence that each input query is to be considered, col. 12, lines 42-51; col. 14, lines 29-31, and lines 48-52; col. 24, lines 14-17).

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CAMQUY TRUONG whose telephone number is (571)272-3773. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng Ai An can be reached on (703)305-9678. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/  
Supervisory Patent Examiner, Art Unit 2195

Camquy Truong  
August 12, 2008